

REMARKS / ARGUMENTS

In response to the Office Action of July 24, 2008, Applicant has amended the specification and claims, which when considered with the following remarks, is deemed to place the present application in condition for allowance. Favorable consideration of all pending claims is respectfully requested.

The specification has been amended to correct various typographical errors. No new matter has been introduced.

In the Office Action, Claims 1-9 and 11-16 have been rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. In particular, the Examiner has alleged that "[t]he 'organic residue in variables R, R1 and R2 in claim 1 is not defined in the specification so as to know the structures of the compounds that are included and/or excluded by the term.'" (Office Action, page 3). In response to the rejection, Applicant has amended the claims to specifically recite the organic residues in R, R1 and R2. Support for these amendments can be found throughout the specification and claims, as originally filed, and in particular in Claim 1, as originally filed and in paragraphs [0014]-[0029] of the specification. No new matter has been added.

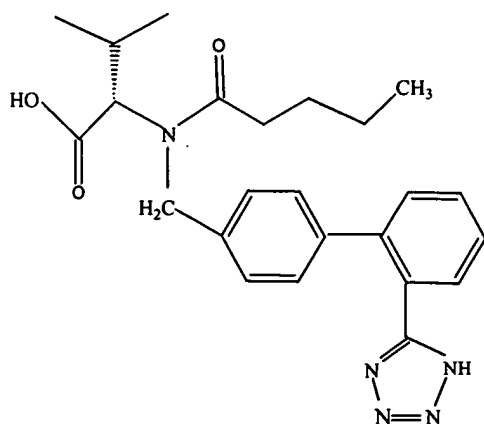
Claims 1-9 and 11-16 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite, because the phrase "such as" allegedly "renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention." (Office Action, page 3). Accordingly, Applicant has amended Claims 1, 4, 7, 8, 9 and 11-16 to remove the phrase "such as" as well as the term(s) to which the phrase referred. Support for this amendment can be found throughout the specification and claims, as originally filed. No new matter has been added.

Claims 1-9 and 11-16 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite because "the 'organic residue' of the compounds of Claims 1-9 and 11-16 are not clearly defined in the claims so as to know the metes and bounds of the claims." (Office Action, page 4). Accordingly, as stated above, Applicant has currently amended Claim 1 to specifically recite the organic residues represented by R. Claims 2, 3 and 4 have been amended to indicate that R has the meaning defined

above (i.e., in claim 1). Support for these amendments can be found throughout the specification and claims, as originally filed, and in particular in Claim 1, as originally filed and in paragraphs [0014]-[0029] of the specification. No new matter has been added.

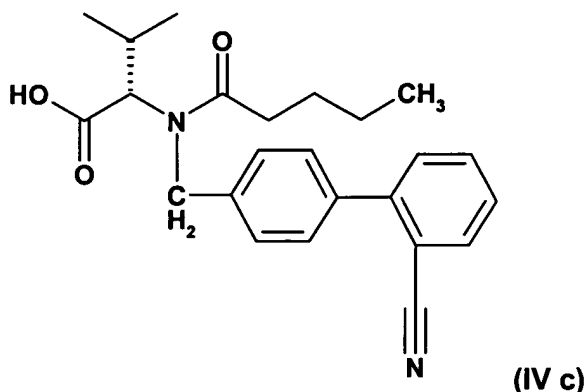
Claim 2 has also been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In particular, the Examiner stated that the limitation “having as structural feature a tetrazole ring, e.g. of formula (IV)” renders the subject matter that is being claimed unclear “because formula IV is only an example of what the structure could be.” (Office Action, page 4). In response to the rejection, Applicant has amended Claim 2 to recite “[a] process according to claim 1 for the manufacture of a compound of formula (IV).” Claim 2 has also been rejected under 35 U.S.C. § 112, second paragraph, because there is allegedly no antecedent basis for the limitation “said angiotensin II receptor antagonists.” (Office Action, page 4). As presently amended, Claim 2 no longer recites “angiotensin II receptor antagonists.” Support for this amendment can be found throughout the specification and claims, as originally filed, and in particular at Claim 2. No new matter has been added.

Claim 3 has been rejected under 35 U.S.C. § 112, second paragraph, because there is allegedly no antecedent basis for the limitation “a compound of formula IV b.” In response, Applicant has amended Claim 3 to recite: “[a] process according to claim 1 for the manufacture of a compound of formula (IV b)



(IV b)

comprising reacting a compound of formula (IV c)



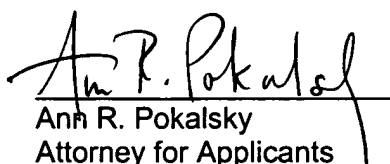
or an ester thereof with an azide of formula $(R_1)(R_2)M-N_3$ (IIb), wherein R_1 and R_2 , independently of each other, have the meanings as defined above, and isolating the compound of formula (IV-b).” Support for this amendment can be found throughout the specification as originally filed, and in particular at paragraph [0087]. No new matter has been added.

Claims 1-9 and 11-16 have been objected to as allegedly containing non-elected subject matter. Accordingly, Applicant has amended the claims to delete the non-elected subject matter.

Finally, the Examiner has requested that the abstract be revised to provide the general nature of the composition as well as its use. In response, submitted herewith on a separate sheet is an amended abstract.

In view of the foregoing remarks and amendments, it is firmly believed that the present application is in condition for allowance, which action is earnestly solicited.

Respectfully submitted,


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